

(MPEP at § 808.02). Applicants respectfully submit that all of the inventions in the present application can readily be searched without undue burden.

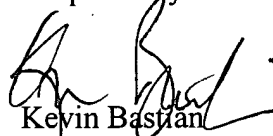
Claim 11 has been cancelled and replaced by new claim 47. Claim 47 is identical to claim 11, except that it is specifically directed to detection of protein expression. Claim 11, in contrast, is directed to detection of CZA8 expression generally, either protein or nucleic acid expression. Support for the amendment to protein expression is found on page 6, line 29-31.

New claim 48 is directed to use of antibodies that specifically bind CZA8 to determine CZA8 protein expression and is supported, for example, at page 36, lines 14-15. Support for new claim 49 is found, for example, at page 30, line 26. to conform to the subject matter of the elected group. Support for new claims 50 and 51 is found, for example, in the sequence listing.

CONCLUSION

In light of the above, Applicants respectfully request that the restriction be withdrawn. If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (415) 576-0200.

Respectfully submitted,


Kevin Bastian
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
KLB:klb
SF 1399825 v1



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PATENT

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claim 11 is deleted and new claims 47-51 are added as follows.

47. A method of diagnosing breast or colorectal cancer comprising:

a) determining the protein expression of a CZA8 gene or fragment thereof in a first tissue type of a first individual; and

b) comparing said protein expression of said gene from a second normal tissue type from said first individual or a second unaffected individual;

wherein a difference in said protein expression indicates that the first individual has breast or colorectal cancer.

48. The method of claim 47, wherein the step of determining protein expression is carried out using an antibody that specifically binds the CZA8 protein.

49. The method of claim 48, wherein the antibody is a monoclonal antibody.

50. The method of claim 47, wherein the protein expression is carried out by detecting SEQ ID NO: 2.

51. The method of claim 47, wherein the protein expression is carried out by detecting SEQ ID NO: 4.